

60 PEL 1051, MISSISSIPPI

Mississippi adopts the uniform environmental covenants act

Mississippi joins many other states that have adopted the uniform environmental covenants act. See, Paul Stanton Kibel, “A Shallow Fix: The Uniform Environmental Covenants Act Leaves Hard Brownfield Questions Unanswered,” *Planning & Environmental Law*, February 2005; and Kurt A. Strasser and William Breetz, “Why the Uniform Environmental Covenants Act Makes Sense: A Reply to Paul Kibel,” *Planning & Environmental Law*, June 2005.

2008 New Laws, S.B. No. 2382

Environment

60 PEL 1052, VIRGINIA

Virginia specifies requirements for conservation of trees during land development process

Communities within Planning District 8 that meet certain population density criteria and are classified as an eight-hour nonattainment area for ozone may adopt a tree conservation ordinance. The ordinance will require site plans for subdivision or development to provide a specified percentage of tree coverage 20 years after development. The tree preservation target will be included in the site plan calculations. Deviations from the tree preservation target will be allowed under certain circumstances. A tree canopy bank may be established to facilitate off-site tree preservation, tree planting, stream bank, and riparian restoration projects. A tree canopy fund may be established to collect, manage, and disburse fees collected from developers that cannot provide full canopy requirements on-site. Canopy credits may also be provided under certain circumstances.

2008 New Laws, H.B. No. 1437

Environment

60 PEL 1053, WYOMING

Wyoming establishes permits for carbon sequestration

The geologic sequestration of carbon dioxide is prohibited unless authorized by a permit issued by the Department of Environmental Quality; permit requirements are established. Prior to September 30, 2009, the state oil and gas supervisor, the state geologist, and the department’s director will convene a working group to develop an appropriate bonding procedure and other financial assurance methods to assure that adequate financial resources are provided to pay for any mitigation or reclamation costs. The Wyoming Oil and Gas Conservation Commission will have jurisdiction over any subsequent extraction of sequestered carbon dioxide that is intended for commercial or industrial purposes.

2008 New Laws, H.B. No. 90

Environmental Impact Statements

60 PEL 1054, VIRGINIA

Virginia changes when an environmental impact report is required for a major state project

Virginia now requires an environmental impact report for state projects that cost \$500,000 or more, rather than \$100,000.

2008 New Laws, H.B. No. 1116

Growth Management

60 PEL 1055, WASHINGTON

Washington addresses impacts of climate change through the growth management act

The Washington Legislature recognizes that patterns of land use development influence transportation-related greenhouse gas emissions and the need for foreign oil; fossil fuel-based transportation is the largest source of greenhouse gas emissions; and the state and its residents will not achieve emission reductions established by the state without a significant decrease in transportation emissions.

The Department of Community, Trade and Economic Development must (1) develop and provide counties and cities with a range of advisory climate change response methodologies, a computer modeling program, and estimates of greenhouse gas emissions reductions which must reflect regional and local variations of the county or city by December 1, 2009; (2) work with the Department of Transportation to reduce vehicle miles traveled; (3) administer a local government global warming mitigation and adaptation program, which must conclude by June 30, 2010, with counties and cities selected through a competitive process; (4) provide grants and technical assistance to aid the selected counties and cities in their efforts to anticipate, mitigate, and adapt to global warming and its associated problems; (5) prepare a report of program findings and recommendations to the Governor and Legislature by January 1, 2011; and (6) prepare an additional report including description of actions that counties and cities are taking to address climate change, among other items, by December 1, 2008.

An advisory policy committee will be appointed, comprised of representatives from the association of builders, real estate professionals, local government planners, association of agricultural interests, a member experienced in growth management and land use planning issues, a member representing a statewide business association, a member with experience in mobility and transportation issues, a member representing an association of office and industrial properties, an architect, and others.

2008 New Laws, S.B. No. 6580

Search hundreds
of abstracts
on PEL Online

www.planning.org/pel